United Nations Convention on the Law of the Sea SPLOS/L.51

Meeting of States Parties

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19 June 2007

Original: English

Seventeenth Meeting
New York, 14 and 18-22 June 2007

Draft decision on the surrender of savings by the International Tribunal for the Law of the Sea

The Meeting of States Parties,

Considering that, on the basis of the performance report of the International Tribunal for the Law of the Sea 2005-2006, overexpenditures incurred in respect of the budget lines "Annual allowances" and "Special allowances" under section 1, "Remuneration of Judges", amounted to €599,433,[1]

Noting that the overexpenditures could be financed by transfer between appropriation sections, in accordance with the decisions taken by the fifteenth Meeting of States Parties in June 2005[2]

Considering that the Tribunal proposed that, in accordance with regulation 4.5 of the Financial Regulations of the Tribunal, the balance remaining from the surplus of income over expenditure from the financial period 2002, amounting to €65,816, and the total balance from the financial period 2004, amounting to €208,670, be surrendered and deducted from the assessed contributions of the States parties for 2008,

Considering also that the supplementary budget for 2005-2006, amounting to €351,899, was approved by the Meeting of States Parties with a view to financing overexpenditures due to the application of the floor/ceiling mechanism applicable to the remuneration of members of the Tribunal,

Noting that, as shown by the performance report of the Tribunal for 2005-2006, there was no need for recourse to the supplementary budget to finance the overexpenditures referred to above,

1. *Decides* that an amount of €65,816 from the 2002 savings and an amount of €208,670 from the 2004 savings will be surrendered and deducted from the assessed contributions of the States parties for 2008 in accordance with regulation 4.5 of the Financial Regulations of the Tribunal;

[1] SPLOS/154, para. 8.
[2] See SPLOS/132 and SPLOS/133.

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2. *Also decides* that an amount of €351,899, corresponding to the supplementary budget approved by the Meeting of States Parties, will be surrendered and deducted from the assessed contributions of the States parties for 2008 in accordance with regulation 4.5 of the Financial Regulations of the Tribunal.

United Nations Convention on the Law of the Sea SPLOS/L.52

Meeting of States Parties

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Seventeenth Meeting
New York, 14 and from 18 to 22 June 2007

Draft decision on issues related to the workload of the Commission on the Limits of the Continental Shelf

The Meeting of States Parties,

Taking note of the letter dated 23 April 2007 from the Chairman of the Commission on the Limits of the Continental Shelf ("the Commission") addressed to the President of the seventeenth Meeting of States Parties (SPLOS/156),

Taking also note of the note by the Secretariat entitled "Issues related to the workload of the Commission on the Limits of the Continental Shelf" (SPLOS/157), as well as of information provided by the Director of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs, serving as the secretariat of the Commission ("the Division"), during the seventeenth Meeting of States Parties,

Reaffirming the importance of the work of the Commission for coastal States and the international community as a whole,

Taking into account article 4 of Annex II to the Convention as well as the decision regarding the date of commencement of the ten-year period for making submissions to the Commission (SPLOS/72),

Acknowledging the anticipated workload of the Commission owing to an increasing number of submissions, placing additional demands on its members and on the Division,

Recognizing in this context the burden, including the financial burden, being placed on States, in particular developing States, whose experts are serving on the Commission,

Desirous to ensure that the Commission can perform its functions under the United Nations Convention on the Law of the Sea ("the Convention") effectively and maintain its high level of quality and expertise,

Underlining the need to ensure that all members of the Commission can fulfil their duties effectively, including their full participation in the sessions of the Commission and the meetings of the subcommissions,

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Emphasizing the desirability of maintaining, to the extent possible, given the term of office of the members of the Commission, continuity in the composition of subcommissions throughout the consideration of a submission,

Recalling the important role of the voluntary Trust Fund for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission, as well as the Trust Fund for the purpose of facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the United Nations Convention on the Law of the Sea, established by the General Assembly in its resolution 55/7 ("the Trust Funds"),

Bearing in mind the legal framework of the work of the Commission, provided for in article 76 of and Annex II to the Convention, as well as the Rules of Procedure of the Commission,

Bearing in mind that article 77 of the Convention provides that rights of the coastal State over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation,

1. *Decides* to continue to address the issues related to the workload of the Commission and funding for its members attending the sessions of the Commission and the meetings of the subcommissions as a matter of priority;

2. *Calls upon* States Parties whose experts are serving on the Commission to do their utmost to ensure the full participation of those experts in the work of the Commission, in accordance with the Convention;

3. *Calls upon* States Parties to contribute voluntarily to the Trust Funds, with a view to facilitating the participation of the members of the Commission from developing States in the meetings of the Commission, as well as to facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the United Nations Convention on the Law of the Sea;

4. *Requests* coastal States Parties to submit to the Secretariat, for work planning purposes, by the end of November 2007, information on whether they intend to make a submission to the Commission and by which date, and requests the Secretariat to circulate a reminder to States Parties to that effect and subsequently report the information thus collected to States Parties;

5. *Calls upon* the Commission to continue to further consider, in consultation with the Secretariat, possible ways of improving its working methods in order to ensure the timely and efficient performance of its functions, including, the possibility of increasing, to the extent possible, the length of its regular sessions, and invites the Chairman of the Commission to inform the next Meeting of States Parties on measures taken in this respect;

6. *Requests* the Secretary-General to take timely measures, before the twenty-first session of the Commission, to strengthen the capacity of the Division, serving as the secretariat of the Commission, in order to ensure enhanced support and assistance to the Commission, and its three subcommissions working

simultaneously, in their consideration of submissions, as required by paragraph 9 of annex III of the Rules of Procedure of the Commission (CLCS/40);

7. *Decides* to take up the issues related to the workload of the Commission at the next Meeting of States Parties under the item "Commission on the Limits of the Continental Shelf: Workload of the Commission";

8. *Decides also* to take up at the next Meeting of States Parties the general issue of the ability of States, particularly developing States, to fulfil the requirements of article 4 of Annex II to the Convention, under the item "The ability of States, particularly developing States, to fulfil the requirements of article 4 of Annex II to the Convention, as well as the decision contained in SPLOS/72, paragraph (a)".